IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO. 933 of 2007.

[Shri Jagabandhu S/o Narayan Banerjee]
vs.
[Western Coalfields Ltd and others]

.....

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Register's orders.	Court's or Judge's Orders

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Smt. MS Jawalkar Advocate for the petitioner.
Shri AD Mohagaonkar Advocate for R-2.
CORAM : A. H. JOSHI &
R. C. CHAVAN, JJ.
DATED : 10/08/2007.

1. The petitioner is claiming the payment of Provident Fund and gratuity on the assumption that he has resigned by resignation letter dated 20-9-2005 [***Annexure-IV***]. This resignation is addressed to the Head Master.

2. There is nothing on record to show that the resignation is accepted and he is relieved from the job. In absence of employer – employee relationship, the question

of payment of Provident Fund and Gratuity does not arise.

3. We find that this does not preclude the petitioner from making representation to the management.

4. The petition has no merit. It is dismissed.

Reply be filed within one week.

JUDGE JUDGE

sbm